REMARKS

In response to the Office Action mailed on April 19, 2007, Applicants respectfully request reconsideration. Claims 1-13 and 16-39 are now pending in this Application. Claims 1, 19 and 36-39 are independent claims and the remaining claims are dependent claims. In this Amendment, claims 1, 19 and 36-39 have been amended and claims 6, 24 and 26 have been canceled. Applicants believe that the claims as presented are in condition for allowance. A notice to this affect is respectfully requested.

Preliminary Matters:

The Office Action finally rejects claims 1-13 and 16-39 based on Ylonen '379, a new ground of rejection. Amended claim 1, however, was amended with dependent Claim 14, and thus the scope of amended claim 1 is exactly the same as originally filed claim 14, to recite propagating routing information according to a predetermined protocol, the routing information operable to designate the target node as the destination of the message according to the second transport mechanism, as clarified in the response ot the previous office action filed January 16, 2007. Applicant submits that it is improper to finally reject this original claim upon the first citation of a new reference. Therefore, applicant respectfully requests that the finality of the Office Action be withdrawn and the response herein considered accordingly.

Claim(s) 1-13 and 16-39 have been rejected under **35 U.S.C. §103(a)** as being obvious over Afek, U.S. Pub. No. 2002/0083175 (hereinafter Afek '175) in view of Ylonen, U.S. Pub. No. 2003/0110379 (hereinafter Ylonen '379). With respect to the new rejections at hand, Ylonen '379 does not show a reroute message for rerouting in an overlay manner, as discussed further at page 5, lines 5-13. Rather, Ylonen '379 takes one of two distinct paths based on routing considerations (paragraph [0039] and source A and source B in the cited example), not on overlay path between the same endpoints.

The claimed reroute message approach differs from the Ylonen '379 approach because the reroute exhibits an overlay arrangement, not a separate path as in Ylonen

(Sources A and B of Figs. 2a-2c)The claimed second path adheres to the second protocol. Which in the example shown corresponds to a VPN, to transport the message traffic between the same source and destination via an overlay path.   Accordingly, Claim 1 has been amended with the subject matter of claim 6, to clarify that rerouting all message traffic including directing the filter complex from a network management server in communication with the filter complex, the network management server operable to send a reroute message to the filter complex.

While the Office Action suggests that Claim 6 is anticipated by paragraphs [0286] and [0298] of Afek, as the Office Action concedes, Afek '175 does not show rerouting according to the second transport mechanism, as amended in the response to the previous office action (response of Jan. 16, 2007). Claim 19, rejected on similar grounds, has been similarly amended with subject matter of claim 24, and has been further amended with the subject matter of claim 26, to clarify the distinguishing features of the reroute message by reciting that the reroute message [is] indicative of the filtering complex receiving message traffic according to the first transport mechanism intended for the target node via the target node router serving the target node. As claim 26 previously depended from claims 24 and 19, it is further submitted that no new search considerations are raised by this amendment. Claims 36-39, also rejected on simlar grounds, have been similarly amended.

Further, one of skill in the art would seek to achieve the present invention by modifying Afex '175 according to Ylonen '379 because Afek '175 is concerned with recovery processing following a DDOS (Distributed Denial of Service) attack. Such a DDOS attack inundates a server with excessive unintended and/or malicious message traffic that inhibits performance at the inundated server. The cited Ylonen '379 reference addresses defensive operations in maintaining an application to prevent undesirable message traffic. In preventing a DDOS attack, the message quantity, not content, is of concern, while Ylonen '379 is concerned with interrogating message content to proactively flag an undesirable payload.[0009], [0015]. In other words, a Ylonen '379 approach guards against message content, while the claimed approach

solves the problem of undesirable message volume. It is therefore respectfully submitted that Ylonen '379 does not show, teach or disclose, alone or in combination with Afek, the claimed invention as recited in claim 1, and in further amended independent claims 19 and 36-29.

As the remaining claims depend, either directly or indirectly, from claims 1 and 19, it is respectfully submitted that all claims in the case are now in condition for allowance.

Applicant(s) hereby petition(s) for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. <u>50-3735</u>.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 616-9660, in Westborough, Massachusetts.

Respectfully submitted,

/CJL/
Christopher J. Lutz, Esq.
Attorney for Applicant(s)
Registration No.: 44,883
Chapin Intellectual Property Law, LLC
Westborough Office Park
1700 West Park Drive
Westborough, Massachusetts 01581
Telephone: (508) 616-9660
Facsimile: (508) 616-9661

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